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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,321	07/31/2000	THOMAS C. HILL	PF01869NA	4702
20280	7590	03/08/2004	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			MOORE, JAMES K	
			ART UNIT	PAPER NUMBER
			2686	
			DATE MAILED: 03/08/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/629,321

Applicant(s)

HILL ET AL.

Examiner

James K Moore

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7, 13, 14 is/are rejected.
- 7) ☒ Claim(s) 4-6, 8-12, 15 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 17, 2003 has been entered.

Response to Arguments

2. Applicant's arguments in the amendment filed October 17, 2003 with respect to claims 1-3 and 7 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant's arguments with respect to claim 13 have been fully considered but they are not persuasive.

The applicant argues that the Merriam patent does not describe or suggest a usage pattern match corresponding to a crowded area based on sensed environmental conditions. See page 7 of the amendment. However, the examiner disagrees. In col. 7, lines 3-11, Merriam discloses that the device may determine that it is in a noisy area (which reads on a usage pattern match corresponding to a crowded area) based on sensed environmental conditions.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Menard (U.S. Patent Application Publication No. US 2003/0119568).

Regarding claim 1, Menard discloses an apparatus (sleeping device 300) comprising a sensor communicating sensor added information (glass breakage detection) to a communication device (wireless communications transceiver 380) within a wireless ad hoc network. The communication device control a power consumption level of the communication device in response to the sensor added information. See Figure 2 and paragraphs 27, 28, 45 and 95.

In regards to claim 3, Menard discloses all of the limitations of claim 1 and also discloses that the communication device transmits the sensor added information to a central controller (central control panel). See paragraph 95.

6. Claim 7 is rejected under 35 U.S.C. 102(e) as being anticipated by Hild et al. (U.S. Patent No. 6,532,368).

Regarding claim 7, Hild discloses a wireless network comprising a master device. The master device is capable of requesting service (e.g., a print request) on a wireless ad hoc network. The wireless network also comprises a plurality of slave devices

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wirelessly connected to each other and to a corresponding master device. One of the slave devices includes a sensor (e.g., a smoke or fire detector). Processed sensor information from the sensor may be shared by each of the slave devices and the corresponding master device. See col. 4, lines 48-61; col. 5, lines 56-65; and col. 7, line 10 through col. 7, line 8.

7. Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Merriam (U.S. Patent No. 6,408,187).

Regarding claim 13, Merriam discloses a method of improving battery life of a wireless communication device. The method comprises sensing environmental conditions within a predetermined distance of the wireless communication device with a plurality of coupled sensors. See col. 2, line 66 through col. 3, line 36. The method also comprises determining a usage pattern match corresponding to a crowded (noisy) area based on the sensed environmental conditions, and adjusting a power consumption level (by increasing the volume of a ringer) of the wireless communication device in accordance with the usage pattern match. See col. 7, lines 8-11.

Regarding claim 14, Merriam discloses all of the limitations of claim 13, and also discloses that the sensors may be motion or range sensors. See col. 7, lines 1-16.

Claim Rejections - 35 USC § 103

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menard in view of well known prior art.

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Menard discloses all of the limitations of claim 1, and also discloses that the apparatus may take multiple types of measurements. See paragraph 92. Menard also discloses that a sensor may transmit measurements to the communication device upon a query by a central control panel. See paragraph 95. Menard does not disclose that the multiple types of measurements are taken by a single "smart" sensor, or that the measurements are transmitted at programmable intervals.

However, the examiner takes Official Notice that a smart sensor capable of taking multiple types of measurements is well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Menard, such that the sensor is a smart sensor which takes multiple types of measurements, instead of using multiple sensors to take the measurements, in order to reduce the number and cost of components used in the apparatus.

The examiner also takes Official Notice that it is well known in the art of monitoring and control systems to program a central control panel to repeatedly initiate queries for status updates at intervals. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Menard, such that the measurements are transmitted at programmable intervals, so that an operator of the control panel does not have to transmit queries manually and repeatedly.

Allowable Subject Matter

9. Claims 4-6, 8-12, 15 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken Moore, whose telephone number is (703) 308-6042. The examiner can normally be reached on Monday-Friday from 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached at (703) 305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ken Moore

JKM

3/4/04

Marsha D Banks-Harold

MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600